

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE**

COALITION FOR OPEN DEMOCRACY,  
*et al.*,

*Plaintiffs,*

v.

DAVID M. SCANLAN, in his official capacity  
as New Hampshire Secretary of State, *et al.*,

*Defendants.*

Case No. 1:24-cv-00312-SE-TSM

**DEFENDANTS' ASSENTED-TO MOTION TO SET DEADLINE  
TO FILE THEIR RESPONSIVE PLEADING**

NOW COME Defendants New Hampshire Secretary of State David M. Scanlan and New Hampshire Attorney General John Formella (collectively, the "Defendants"), by and through their counsel, the Office of the Attorney General, and submit this Assented-To Motion to Set Deadline to File Their Responsive Pleading, and state as follows:

1. On October 7, 2024, Defendants waived service of summons in this case. ECF Nos. 7 & 8. Defendants' responsive pleading was due on or before December 2, 2024.
2. The parties negotiated in good faith to schedule a later responsive pleading deadline.
3. The parties have agreed that Defendants must file their responsive pleading on or before January 16, 2025.
4. As part of that agreement, and as will be memorialized in a later-filed Discovery Plan, the parties have further agreed:
  - a. Trial may be scheduled in mid-January of 2026;
  - b. The parties will submit a Discovery Plan on December 20, 2025;

- c. Written discovery will open on January 16, 2025; and
  - d. Depositions may begin upon the earlier of (i) court's ruling on motions to dismiss (if any) or (ii) July 1, 2025.
5. Plaintiffs have assented to this Motion.

WHEREFORE, Defendants respectfully request that this Honorable Court:

- A. Grant Defendants' Assented-To Motion to Set Deadline to File Their Responsive Pleading;
- B. Order Defendants to file their responsive pleading on or before January 16, 2025; and
- C. Grant such further relief as is just and equitable.

Respectfully submitted,

DEFENDANTS DAVID M. SCANLAN and  
JOHN FORMELLA

By their attorneys,

JOHN M. FORMELLA  
ATTORNEY GENERAL

Date: December 9, 2024

/s/ Michael P. DeGrandis  
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served on all parties of record through the Court's e-filing system.

/s/ Michael P. DeGrandis  
Michael P. DeGrandis